

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Tony F. Rodriguez
Application No.: 10/002,225
Filed: November 20, 2001
For: WATERMARK COMMUNICATION
AND CONTROL SYSTEMS
Examiner: Raman, Usha
Date: March 9, 2009

Art Unit: 2624
Confirmation No.: 4167

Via Electronic Filing

RESPONSE

This paper is responsive to the February 9, 2009 Office Action inviting applicant to provide comments regarding the previous rejection of claim 21 under 35 U.S.C. § 112, first paragraph. In particular, the Examiner asked about the features of: “software instructions....causing the processor to establish a layered stack of protocols and a software interface.”

But, in this regard, the previous §112 rejection merely commented on the ‘571 patent. There does not seem to be a rejection of this feature. For example, the rejection stated: “The ‘571 paten lacks sufficient disclosure of the aforementioned feature by applicant’s own admission (see Remarks page 6).” We do not see how this statement warrants an on-going rejection relevant to the present specification.

Moreover, we respectfully refer the Examiner to the following specification support passages: page 2, lines 6-8; page 3, lines 3-8; page 3, lines 14-18, among many others.

The Examiner is invited to contact the Undersigned by telephone if there are any remaining questions.

Date: March 9, 2009

Respectfully submitted,

Customer Number 23735

DIGIMARC CORPORATION

Phone: 503-469-4685
FAX: 503-469-4777

By: /Steven W. Stewart, Reg. No. 45,133/
Steven W. Stewart
Registration No. 45,133